

**Notice of Allowability**

Application No.

10/766,220

Examiner

Sebastiano Passaniti

Applicant(s)

LIU, JETHRO

Art Unit

3711

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment (10/25/2005).
2. ☒ The allowed claim(s) is/are 1-12.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 8/22/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date herewith.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

  
**Sebastiano Passaniti**  
Primary Examiner

### **DETAILED ACTION**

This Office action is responsive to communication received 08/22/2005 – IDS;  
10/25/2005 – Amendment.

#### ***Information Disclosure Statement***

The information disclosure statement filed 08/22/2005 fails to comply with 37 CFR 1.97(d) because it lacks a statement as specified in 37 CFR 1.97(e). See MPEP 609, B(3). It has been placed in the application file, but the information referred to therein has not been considered. However, it is noted that the references cited within the IDS have nonetheless been considered and have now been listed on the attached FORM PTO-892.

#### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Abel (Reg. No. 32,394) on November 03 and November 10, 2005. During said interview, it was agreed that the top plate should be further recited as being connected directly to the sole plate so as to clarify the location of the top plate relative to the sole plate, since at least one opening in the top plate and at least one opening in the rear portion of the sole plate are covered by the same composite cover. Further changes were agreed upon in order to correct some apparent grammatical

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inconsistencies, i.e. correcting "hozel" to read --hosel-- (claims 1, 4, 7 and 12) and to further eliminate any indefiniteness that might have otherwise been present with the language "similar" (claims 5, 6, 10 and 11).

The application has been amended as follows:

**IN THE CLAIMS:**

Claim 1 – line 2, "hozel" has been CHANGED to --hosel-- ;

Claim 1 – line 4, after "plate", the phrase -- ,said top plate being continuously and directly connected to said rear portion of said sole plate-- has been INSERTED;

Claim 4 – lines 2 and 3, "hozel" has been CHANGED to --hosel--;

Claim 5 – line 2, "similar metallic" has been CHANGED to --other steel alloy--;

Claim 6 - line 3, "similar metallic" has been CHANGED to --other steel alloy--;

Claim 7 – line 2, "hozel" has been CHANGED to --hosel-- ;

Claim 7 – line 4, after "plate", the phrase -- ,said top plate being continuously and directly connected to said rear portion of said sole plate-- has been INSERTED;

Claim 10 – line 2, "similar metallic" has been CHANGED to --other steel alloy--;

Claim 11 – line 2, "similar metallic" has been CHANGED to --other steel alloy--;

Claim 12 – line 2, "hozel" has been CHANGED to --hosel-- ;

Claim 12 – line 5, "similar metallic" has been CHANGED to --other steel alloy-- and after "materials", the phrase -- ,said top plate being continuously and directly connected to said upward extending portion of said sole plate-- has been INSERTED;

Claim 12 –line 7, after "portions", the phrase --of said top plate-- has been INSERTED.

**IN THE SPECIFICATION:**

Page 2 – paragraph [0006], line 2, “hozel” has been CHANGED to --hose--;

Page 2 – paragraph [0019], line 3, “hozel” has been CHANGED to --hose--;

Page 3 – paragraph [0020], line 1, “hozel” has been CHANGED to --hose--;

Page 3 – paragraph [0020], line 3, “hozel” has been CHANGED to --hose--;

Page 3 – paragraph [0022], line 2, “hozel” has been CHANGED to --hose--;

Page 3 – paragraph [0023], line 2, “hozel” has been CHANGED to --hose--.

**REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance: Claims 1-12 are allowable over the prior art references of record for the reasons advanced by the applicant's representative on page 5, lines 17-27 and page 7, line 11 through page 8, line 3 of the remarks, received 10/25/2005. With respect to the newly cited reference to Chuang (U.S. Publication 2005/0159243), it is noted that Chuang does not show or obviate the inclusion of a top plate that is continuously and directly connected to a rear portion of the sole plate. Instead, in Chuang, the club head includes a shoulder portion (27) that is discontinuous around the periphery of the top of the head, wherein a gap (28) is formed adjacent the heel and toe portion of the head.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

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**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sebastiano Passaniti whose telephone number is 571-272-4413. The examiner can normally be reached on Monday through Friday (6:30AM - 3:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eugene L. Kim can be reached on 571-272-4463. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S.Passaniti/sp  
November 10, 2005

  
**Sebastiano Passaniti**  
Primary Examiner